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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,284	02/13/2002	Hirokazu Yamagata	740756-2435	3476
22204	7590	05/04/2004		
NIXON PEABODY, LLP 401 9TH STREET, NW SUITE 900 WASHINGTON, DC 20004-2128			EXAMINER FOURSON III, GEORGE R	
			ART UNIT	PAPER NUMBER
			2823	

DATE MAILED: 05/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p align="center">10/073,284</p>	<p>Applicant(s)</p> <p align="center">YAMAGATA ET AL.</p>	
	<p>Examiner</p> <p align="center">Georg Fourson</p>	<p>Art Unit</p> <p align="center">2823</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 25-82 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 25-82 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| <p>1) <input type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date <u>418 + 12/11/03</u></p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____</p> |
|--|---|

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 25-28,30-33,35-38 and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in combination with Yamada '179, Inoue et al '206, So et al '905 and Garcia et al, as previously applied in the office action mailed 2/10/03.

The rejection is maintained as stated in the paper mailed 2/10/03.

Applicant argues that there is no teaching of forming a "first insulating film" on the interlayer dielectric film followed by forming a resin film which is to become the bank. However, ILD film 15 is a composite oxide/nitride/oxide film.

Applicant argues that Inoue does not disclose heat treatment or plasma treatment of the bank. However, as stated in the office action mailed 2/10/03 including citations of relied on portions of the disclosure, Inoue discloses the sequential steps of baking resin film 10, etching through resin insulating film 10 to form a bank then performing surface treatment comprising plasma treatment. Furthermore, it is not necessary for the reference to disclose that the process of the reference is performed to achieve the same goals as applicant or to obtain the same advantages recognized by applicant. It is sufficient that the process suggested by the reference alone or in combination with the remaining references is encompassed by the instant claims.

Applicant argues that Garcia does not disclose wiping the anode of a light emitting device. However, the disclosure of Garcia relied on related to cleaning of each layer in a fabrication sequence of a semiconductor device is seen to provide sufficient motivation to employ the teachings of Garcia as relied on.

Claims 29,34,39 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in combination with Yamada '179, Inoue et al '206, So et al '905 and Garcia et al as applied to claims 25-28,30-33,35-38 and 40-43 above, and further in view of Farber et al '684.

The rejection is maintained as stated in the paper mailed 2/10/03 and as stated above.

Claims 45-53,56-58,61,62,64,65,67,74-80 and 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in combination with Yamada '179, Inoue et al '206, So et al '905 and Garcia et al as applied to claims 25-28,30-33,35-38 and 40-43 above, and further in view of Farber et al '684 as applied to claims 25-28,30-33,35-38,40-43 and 29,34,39 and 44 above, and further in view of Satoh et al and Sakata et al '584.

Reliance on applicant's admission related to recognition of issues related to moving electro luminescent devices is withdrawn as being cumulative of the teachings of Sakata et al '584.

Claims 54,55,59,60,63,66,68,69-73,79 and 81 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA in combination with Yamada '179, Inoue et al '206, So et al '905 and Garcia et al as applied to claims 25-28,30-33,35-38 and 40-43 above, and further in view of Farber et al '684 as applied to claims 25-28,30-33,35-38,40-43 and 29,34,39 and 44 above, and further in view of Satoh et al as applied to claims 25-28,30-33,35-38,40-43 and 29,34,39 and 44 and 45-53,56-58,61,62,64,65,67,74-80 and 82 above, and further in view of Montgomery et al.

The rejection is maintained as stated in the paper mailed 2/10/03 and as above.


THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (571) 272-2800. See MPEP 203.08.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner George Fourson whose telephone number is (571)272-1860. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri, can be reached on (571)272-1855. The fax number for this group is (571)273-0224 and the customer service number for group 2800 is 571-272-2815. Updates can be found at <http://www.uspto.gov/web/info/2800.htm>.


George Fourson
Primary Examiner
Art Unit 2823

GFourson
May 2, 2004